

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Keith D. ALLEN et al.

Docket No.: R-517

Serial No.: 10/005,983

Group Art Unit: 1632

Filed: November 7, 2001

Examiner: Unassigned

For: Transgenic Mice Containing PERK
Protein Kinase Gene Disruptions

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RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID
SEQUENCE DISCLOSURES

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed June 19, 2002 regarding the above-captioned application, Applicants submit herewith:

1. A Preliminary Amendment under 37 C.F.R. §1.115 with an amendment to Figure 2A(2) of the above-referenced application;
2. A copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed June 19, 2002.

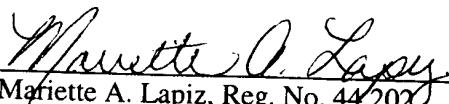
The Sequence Listing submitted with the application on November 7, 2001, in computer readable format (CRF) and paper, contains all sequences disclosed in the application. Therefore, Applicants believe that a substitute Sequence Listing in CRF is not required. Moreover, the content of the paper and computer readable copies of the Sequence Listing submitted on December 5, 2001 are identical. The sequence listing submitted in this application merely presents nucleotide and/or amino acid sequences that appeared in the application as originally filed in accordance with 37 C.F.R. §1.821-1.825, thus no new matter has been introduced into the application.

Accordingly, Applicants respectfully request the entry of the paper and computer readable forms of the sequence listing into the application.

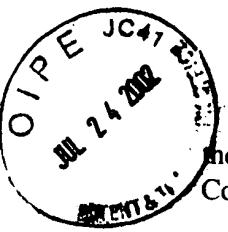
Date: July 16, 2002

Respectfully submitted,

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Mariette A. Lapiz, Reg. No. 44,202

CERTIFICATE OF MAILING UNDER 37 CFR 1.8


I hereby certify that this correspondence and its listed enclosures is being deposited with the United States Postal Service as First Class Mail, postage paid, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, Attn: OIPE on July 16, 2002

Name: Deborah A. Mojarrro

Signed: Deborah A. Mojarrro

Date: July 16, 2002

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WASHINGTON, D

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/005,983	11/07/2001	Keith D. Allen	R-517

DELTAGEN, INC.
740 Bay Road
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CONFIRMATION NO. 9383

FORMALITIES LETTER



OC00000008309171

Date Mailed: 06/19/2002

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821 - 1.825. The application must be in sequence compliance before examination on the merits.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extension of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to: The Office Of Initial Patent Examination.

See the attachment.

Applicant Must Provide as part of the response:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600

For PatentIn Software Program Help, call (703) 306-4119 or e-mail at
patin21help@uspto.gov or patin3help@uspto.gov

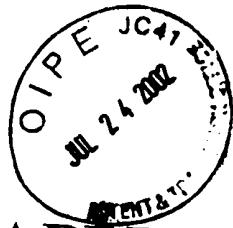
*A copy of this notice **MUST** be returned with the reply.*

K Little

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 – COPY TO BE RETURNED WITH RESPONSE



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**APPLICATION 10/005983
DOES NOT COMPLY WITH THE
SEQUENCE RULES BECAUSE:**

	CRF, paper copy of sequence listing, and statement that both are same are missing
	CRF contains error(s) according to STIC Report
	CRF damaged or unreadable according to STIC Report
	CRF transferred from prior application is not compliant
x	Other: Figure 2a contains nucleic acid sequences that are not described in the sequence listing or CRF